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Attorneys for Plaintiff  
TIMOTHY GARDNER

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TIMOTHY GARDNER,

Plaintiff,

vs.

CITY OF BERKELEY, DAVID HODGKINS;  
DOUG HAMBLETON; ROY MEISNER;  
BOBBY MILLER,

Defendants.

**NO. C10-03410 EMC**

**STIPULATION FOR DISMISSAL; AND  
[PROPOSED] ORDER**

Complaint Filed: June 25, 2010  
Removed to Federal Court: Aug. 3, 2010

IT IS HEREBY STIPULATED by and between the parties to this action through their designated counsel that the above-captioned action be and hereby is dismissed with prejudice as to defendants ROY MEISNER and BOBBY MILLER, pursuant to FRCP 41 (a) (1). Each party to bear its own attorney fees and costs.

1 SO STIPULATED.

2 Respectfully submitted:

3 ZACH COWAN, City Attorney  
4 MARK J. ZEMBSCH, Deputy City Attorney

5 Dated: April 26, 2011.

6 By: \_\_\_\_\_/s/  
7 MARK J. ZEMBSCH, Deputy City Attorney  
8 Attorneys for City of Berkeley and David Hodgkins

9 Respectfully submitted:

10 BROWN | POORE LLP

11 Dated: April 26, 2011.

12 By: \_\_\_\_\_/s/  
13 DAVID M. POORE  
14 Attorney for Plaintiff Timothy Gardner

15  
16 IT IS SO ORDERED.

17  
18 DATED: May 2, 2011 \_\_\_\_\_

